

**TOWNSHIP OF PEMBERTON
REGULAR MEETING**

FEBRUARY 20, 2008

6:30 P.M.

1. Council President Stinney announced that notice of this meeting was given in accordance with the Open Public Meetings Act and led the assembly in the Pledge of Allegiance, followed by roll call.

PRESENT

Ken Cartier

Tom Inge

Richard Prickett

Sherry Scull

Diane Stinney

ABSENT

Also present: Mayor David Patriarca, Business Administrator Chris Vaz, Solicitor Andrew Bayer, Engineer Chris Rehmann, Township Clerk Mary Ann Young

2. Chairwoman Stinney called the meeting to order at 6:30 P.M.
3. Closed Session Res. No. 74-2008

RESOLUTION NO. 74-2008

WHEREAS, SECTION 8 OF THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, P.L. 1975 PERMITS THE EXCLUSION OF THE PUBLIC FROM A MEETING IN CERTAIN CIRCUMSTANCES; AND WHEREAS, THIS PUBLIC BODY IS OF THE OPINION THAT SUCH CIRCUMSTANCES PRESENTLY EXIST; NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, AS FOLLOWS:

1. THE PUBLIC SHALL BE EXCLUDED FROM DISCUSSION OF AND ACTION UPON THE HEREINAFTER SPECIFIED MATTERS.
2. THE GENERAL NATURE OF THE SUBJECT MATTERS TO BE DISCUSSED IS AS FOLLOWS:
CONTRACT NEGOTIATIONS WITH AFSCME, PBA, CWA, AND GOODWILL FIRE COMPANY
LITIGATION: WOODARD VS PEMBERTON TOWNSHIP AND LAKE VALLEY ASSOCIATES VS PEMBERTON TOWNSHIP
3. IT IS ANTICIPATED AT THIS TIME THAT THE ABOVE-STATED SUBJECT MATTERS WILL BE MADE PUBLIC WHEN THE MATTERS HAVE BEEN RESOLVED.

Motion by Scull and Cartier to approve Resolution No. 74-2008. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

4. **CLOSED SESSION (Reference Note: Closed session minutes are transcribed and filed separately and considered part of these minutes.)**

Mrs. Stinney recessed the open session at 6:30 p.m. to go into closed session and reconvened the open session at 7:00 p.m.

5. Formal action as necessary pursuant to Closed Session.

There was no formal action necessary pursuant to closed session. Mrs. Stinney informed that Council will be going back into Closed Session at the end of tonight's meeting.

6. Public comments on agenda items only.

Mrs. Stinney opened the meeting to public comments. There being no members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments.

***7. Consent Agenda: All items listed with an asterisk (*) are considered to be routine by the Township Council and will be enacted by one motion. Should a Council Member wish to discuss a consent agenda item separately, that item can be removed from the consent agenda and considered in its normal sequence on the regular agenda.**

***9. CONSENT AGENDA RESOLUTIONS**

RESOLUTION NO. 75-2008

RESOLUTION APPOINTING A MEMBER TO THE CITIZENS ADVISORY BOARD FOR ENFORCMENT OF PROPERTY MAINTENANCE CODE
 WHEREAS, BY ORDINANCE 19-2006 THE TOWNSHIP ESTABLISHES A CITIZENS ADVISORY BOARD FOR ENFORCEMENT OF PROPERTY MAINTENANCE CODE;
 NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE TOWNSHIP OF PEMBERTON THAT THE FOLLOWING APPOINTMENT IS MADE AS FOLLOWS:
 JOYCE PAOLILLO REGULAR MEMBER TERM 01/01/08 – 12/31/09

RESOLUTION NO. 76-2008

WHEREAS, COUNTRY LAKES VOLUNTEER FIRE COMPANY NO. 1, INC. DESIRES THAT, PURSUANT TO THE PROVISIONS OF N.J.S.A. 15:8-4, CERTAIN PERSONS BE APPOINTED TO PERFORM PERMITTED POLICE DUTIES AT FIRES AND FIRE DRILLS;
 NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT THE BELOW LISTED MEMBERS BE APPOINTED AND DESIGNATED AS FIRE POLICE OFFICERS FOR A TERM OF FIVE YEARS FROM THE DATE OF THIS APPOINTMENT TO PERFORM DUTIES AS PRESCRIBED IN N.J.S.A. 15:8-4 UPON TAKING APPROPRIATE OATH BEFORE THE TOWNSHIP CLERK, A COPY OF WHICH IS TO BE FILED WITH THE CLERK AND ALSO THE SECRETARY OF THE FIRE COMPANY.
 CORY TAYLOR

RESOLUTION NO. 77-2008

RESOLUTION AUTHORIZING ADDENDUMS TO DATA SHARING AGREEMENT FOR GEOGRAPHIC INFORMATION SYSTEM DIGITAL FILES
 WHEREAS, THE TOWNSHIP OF PEMBERTON ENTERED INTO A DATA SHARING AGREEMENT WITH BURLINGTON COUNTY AUTHORIZED BY PEMBERTON TOWNSHIP RESOLUTION NO. 253-2003; AND
 WHEREAS, THE AFOREMENTIONED AGREEMENT REQUIRES ADDENDUMS FOR ADDITIONAL USERS ON BEHALF OF PEMBERTON TOWNSHIP; AND
 WHEREAS, THE FOLLOWING PROFESSIONALS HAVE BEEN APPROVED TO ACT ON BEHALF OF PEMBERTON TOWNSHIP AND HAVE ACCESS TO THE GEOGRAPHICAL INFORMATION SYSTEM DIGITAL FILES:
 1. CIVIL SOLUTIONS (A DIVISION OF ARH ASSOCIATES) – TOWNSHIP ENGINEER
 2. RAGAN DESIGN GROUP – TOWNSHIP PLANNER
 3. ARH ASSOCIATES – TOWNSHIP ENGINEER
 4. ALAIMO GROUP – SPECIAL PROJECTS ENGINEER
 5. REMINGTON & VERNICK – SPECIAL PROJECTS ENGINEER
 NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, THAT THE MAYOR AND CLERK ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT WITH THE COUNTY OF BURLINGTON.

RESOLUTION NO. 79-2008

WHEREAS, PURSUANT TO N.J.S.A. 40A: 4-19 THE TOWNSHIP COUNCIL ADOPTED A TEMPORARY MUNICIPAL BUDGET ON JANUARY 2, 2008; AND,
WHEREAS, ADDITIONAL BUDGETARY AUTHORIZATIONS ARE NECESSARY TO CONTINUE GOVERNMENTAL OPERATIONS PRIOR TO THE 2008 PERMANENT BUDGET BEING ADOPTED; AND,
WHEREAS, N.J.S.A. 40A: 4-20 PERMITS MUNICIPALITIES TO AUTHORIZE SUPPLEMENTAL TEMPORARY APPROPRIATIONS BY ADOPTING EMERGENCY TEMPORARY AUTHORIZATIONS BY RESOLUTION APPROVED BY 2/3 VOTE OF THE FULL COUNCIL MEMBERSHIP,
NOW THEREFORE, BE IT RESOLVED THAT THE FOLLOWING EMERGENCY TEMPORARY APPROPRIATIONS ARE HEREBY MADE:

DEPARTMENT TITLES	SALARY & WAGES	OTHER EXPENSES	TOTAL
MAYOR / ADMINISTRATION	40,000.00	2,000.00	42,000.00
COUNCIL	10,500.00	500	11,000.00
MUNICIPAL CLERK	25,000.00	3,000.00	28,000.00
FINANCE ADMINISTRATION	40,000.00	3,000.00	43,000.00
AUDIT SERVICE		10,000.00	10,000.00
TAX COLLECTION	25,000.00	3,000.00	28,000.00
COLLECTION - S/W BILLING (LEGAL # 145)	10,000.00	2,000.00	12,000.00
TAX ASSESSMENT ADMINISTRATION	20,000.00	3,000.00	23,000.00
LEGAL SERVICES		60,000.00	60,000.00
ENGINEERING SERVICES		15,000.00	15,000.00
URBAN ENTERPRISE ZONE	10,000.00	500.00	10,500.00
PLANNING BOARD	10,000.00	500.00	10,500.00
ZONING BOARD	15,000.00	500.00	15,500.00
CODE ENFORCEMENT	15,000.00	500.00	15,500.00
POLICE	100,000.00	100,000.00	200,000.00
AID TO FIRE COMPANIES		24,000.00	24,000.00
AID TO EMERGENCY SQUADS		24,000.00	24,000.00
PAID EMS SERVICE		10,000.00	10,000.00
MUNICIPAL PROSECUTOR (LEGAL #155)		15,000.00	15,000.00
STREETS & ROADS	100,000.00	50,000.00	150,000.00
BUILDING & GROUNDS	100,000.00	75,000.00	175,000.00
FLEET MAINTENANCE		75,000.00	75,000.00
INSECT CONTROL		243,660.00	243,660.00

ANIMAL CONTROL	15,000.00	500.00	15,500.00
RECREATION	100,000.00	25,000.00	125,000.00
SENIOR SERVICES (LEGAL # 370)	20,000.00	10,000.00	30,000.00
MUNICIPAL COURT	50,000.00	5,000.00	55,000.00
OTHER PUBLIC WORKS - TRAFFIC SIGNALS		(2,000.00)	(2,000.00)
ELECTRICITY		25,000.00	25,000.00
STREET LIGHTING		30,000.00	30,000.00
POSTAGE		30,000.00	30,000.00
TELEPHONE		10,000.00	10,000.00
WATER		500.00	500.00
NATURAL GAS / PROPANE		10,000.00	10,000.00
FUEL OIL		10,000.00	10,000.00
SEWER		500.00	500.00
GASOLINE & DIESEL		35,000.00	35,000.00
SOLID WASTE DISPOSAL		50,000.00	50,000.00
SOCIAL SECURITY & MEDICARE		50,000.00	50,000.00
			0.00
CURRENT FUND BUDGET	705,500.00	1,009,660.00	1,715,160.00

WATER DEPARTMENT

SALARIES & WAGES	47,000.00		47,000.00
OTHER OPERATING		50,000.00	50,000.00
SOCIAL SECURITY		18,000.00	18,000.00
			0.00
	47,000.00	68,000.00	115,000.00

CURRENT FUND		(- 5,441.99)	(- 5,441.99)
DEBT SERVICE - INTEREST			
WATER OPERATING			
DEBT SERVICE - INTEREST		(- 4,477.50)	(- 4,477.50)

f. Applications submitted for memberships, licenses, permits:

- *1. **Fire Company Memberships:** (Council confirmation/acknowledgement of new members): Magnolia Road Fire Co.: Firefighters Philip Matt, Eric Graham, & Shannon Abrams.
- *2. **2007 & 2008 Annual Renewal of Trailer Park License and Used Car License:** for Belaire Trailer Park. (All municipal charges have been paid)
- *3. Memorialization of Council's (Stinney, Cartier & Inge) approval of **Loud Speaker Permit application:** Anna M. Perez, Stereo system for wedding reception at Country Lakes Rec. Ctr., 2/16/08, from 5:40 p.m.-9:30 p.m.
- *13. Approval by Council required for payment of vouchers on bill list dated **2/15/08.**

Mrs. Scull requested that bill #8692 in the amount of \$100.00 be pulled from the consent agenda. Mr. Prickett requested to pull the minutes from the Council meeting of February 6, 2008. Mr. Prickett commented on Resolution No. 75-2008 in that he spoke to Joyce Paolillo who is an enthusiastic resident of the Township. Mr. Prickett added that Ms. Paolillo is very interested in getting involved in the Property Maintenance Board. Mr. Prickett commented that they have been on hiatus for a while and it's time to get re-energized. Mrs. Stinney asked Mr. Prickett to pull the Resolution if he wanted to continue discussing it. Mr. Prickett conveyed that he can vote for it but wanted to ask Administration as they are

supposed to be involved in the Board and they haven't been, to be involved and try to get this back together again. Mrs. Stinney added that she will allow some comments afterwards. Mr. Inge requested Resolution No. 78-2008 be pulled from the consent agenda.

Motion by Cartier and Scull to approve the Consent Agenda as amended. Cartier, yes; Scull, yes; Prickett, yes; Inge, yes; Stinney, yes. Motion carried.

***8. MINUTES FILED BY MUNICIPAL CLERK (Pulled from Consent Agenda)**

a. Regular meeting, February 6, 2008.

Mr. Prickett expressed concern with the public comments section of the Council meeting minutes of February 6, 2008. He conveyed that he spoke with Mrs. Young today regarding a particular word contained in the minutes that he felt was not stated and was advised that the audio recording of the meeting was not very good. He commented that fortunately they are getting a new audio recording system and hopefully this will resolve the problem. Mr. Prickett wanted the record to reflect his concern of a word in the minutes which sounded like "conflicts" but it was really "topics". Mr. Prickett read from the section of the minutes, "Mr. Prickett asked Mrs. Stinney if during the round tables that are held once per month, if it would be possible on a rotating basis if another Council member could be a part of that. Mr. Prickett added that he would like to be a part of that occasionally. Mrs. Stinney replied that she'll see depending on the topics. Mr. Prickett responded that he would not want to be present for any conflicts." Mr. Prickett stated that he doesn't see "conflicts" in that situation and he had actually said the word "topics" and wanted to clarify the record.

Motion by Prickett to approve the minutes of the February 6, 2008 regular meeting.

Mr. Cartier asked if the motion was to approve the minutes with those corrections. Mr. Prickett replied no. Mr. Prickett expressed that he doesn't want to contradict the Clerk. He noted that is what he would like to see on the record but the minutes reflect what the Clerk heard because of the audio problem. Mr. Bayer advised that for the record, the minutes today will reflect what Mr. Prickett just stated and the minutes don't necessarily need to be amended. Mr. Prickett agreed noting that he wouldn't ask to amend them but to approve as presented by the Clerk. Mrs. Stinney added that tonight's minutes would reflect his clarification. Mr. Cartier stated that for the record, that is what he recalled as well.

Mr. Cartier seconded Mr. Prickett's motion to approve the minutes of the February 6, 2008 regular meeting. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

RESOLUTIONS (Pulled from Consent Agenda)

RESOLUTION NO. 78-2008

Mr. Inge asked why Resolution No. 78-2008 is needed. Mr. Vaz responded that it came to light in meetings he had with the DCA that there were amendments to the State regulations in May or June that require that when governing body members in Administration who have control over the budget of construction officials, building inspectors, etc., and when there is a personal need for a building permit or plumbing permit, etc., that there is a potential conflict. The regulation now

requires another building inspector come in on the outside and do the inspection. Mr. Bayer explained that there was a memo attached to the resolution which referred to that regulation for everyone. Mr. Cartier asked if a resident applies for a permit and needs an inspection, if they come to Pemberton Township or would they have to go elsewhere. Mr. Cartier asked if he needed a permit to do something on his house, where does he go to apply. Mr. Vaz replied, physically speaking, he would actually apply there (Pemberton Boro); the building inspector will come to the Township to do the inspection but Mr. Cartier would pay the fee to the other Township. Mr. Vaz noted Mr. Cartier would be required to go to the Boro and complete their application with their building inspector/construction official. Mr. Vaz explained the Boro has a part time staff and this would need to be coordinated but the Mayor is going through this right now. Mr. Vaz noted that because the Boro is small and they are part time, it isn't easy to coordinate the schedules. Mr. Inge asked if there were prior permits to today's date, if they would still need to go to the Boro and the Boro would honor them. Mr. Vaz answered that for permits that were issued from our Township, the DCA stated that they want any future inspections done by the Boro. Mr. Inge then stated that he has outside contractors for plumbing and electrical and they would be out of the loop as well. Mr. Vaz replied yes. Mr. Cartier asked if the Boro would honor the Township's fee rates. Mr. Vaz answered yes. Mr. Vaz relayed that it is reciprocal; if a Boro Council person has an issue, they would come in to Pemberton Township.

RESOLUTION NO. 78-2008

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTER-LOCAL SERVICE AGREEMENT WITH THE BOROUGH OF PEMBERTON

WHEREAS, THE TOWNSHIP OF PEMBERTON ("TOWNSHIP") HAS ESTABLISHED A CONSTRUCTION OFFICE FOR THE PURPOSE OF CARRYING OUT INSPECTION SERVICES FOR RESIDENTS OF THE TOWNSHIP; AND WHEREAS, N.J.A.C. 5:23-4.5 PROHIBITS EMPLOYEES OF THE CONSTRUCTION OFFICE FROM CARRYING OUT INSPECTIONS WHEN A CONFLICT OF INTEREST EXISTS AS THAT TERM IS DEFINED BY REGULATION; AND WHEREAS, A CONFLICT OF INTEREST EXISTS WHEN *INTER ALIA* THE PROPERTY AT ISSUE IS OWNED BY A PUBLIC OFFICIAL WHO HAS DIRECT OR INDIRECT CONTROL OVER THE FUNDING OR OPERATIONS OF THE CONSTRUCTION OFFICE; AND WHEREAS, FROM TIME TO TIME SUCH CONFLICTS OF INTEREST ARISE AND CAN BE AVOIDED BY DESIGNATING INSPECTION FUNCTIONS TO A NEIGHBORING MUNICIPALITY VIA AN INTER-LOCAL SERVICES AGREEMENT; AND WHEREAS, THE BOROUGH OF PEMBERTON HAS AGREED TO PERFORM CONSTRUCTION INSPECTION SERVICES WHEN THE TOWNSHIP'S CONSTRUCTION OFFICE FACES A CONFLICT OF INTEREST; AND WHEREAS, THE TOWNSHIP DESIRES TO ENTER INTO AN INTER-LOCAL SERVICES AGREEMENT FOR CONFLICT CONSTRUCTION INSPECTION SERVICES WITH THE BOROUGH OF PEMBERTON.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF PEMBERTON, IN THE COUNTY OF BURLINGTON AND STATE OF NEW JERSEY THAT THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE AN INTER-LOCAL SERVICES AGREEMENT FOR THE PROVISION OF CONFLICT CONSTRUCTION INSPECTION SERVICES WITH THE BOROUGH OF PEMBERTON IN A FORM SUBSTANTIALLY SIMILAR TO THE INTER-LOCAL AGREEMENT ATTACHED HERETO AS EXHIBIT A.

BE IT FURTHER RESOLVED, THAT THE TERM OF SAID INTER-LOCAL AGREEMENT SHALL BE A PERIOD OF FOUR YEARS. BE IT FURTHER RESOLVED, THAT A CERTIFIED COPY OF THIS RESOLUTION SHALL BE PROVIDED TO EACH OF THE FOLLOWING:

- A. STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS – DIVISION OF CODES AND STANDARDS – OFFICE OF REGULATORY AFFAIRS
- B. BOROUGH OF PEMBERTON ADMINISTRATOR
- C. TOWNSHIP ADMINISTRATOR
- D. TOWNSHIP CONSTRUCTION OFFICE
- D. TOWNSHIP CHIEF FINANCIAL OFFICER
- E. GLUCKWALRATH LLP.

Motion by Cartier and Scull to approve Resolution No. 78-2008. Cartier, yes; Scull, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

10. ORDINANCES FOR INTRODUCTION

a. ORDINANCE NO. 5-2008 (Title Read By Ms. Stinney)

AN ORDINANCE TO AMEND THE ORDINANCES OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AND SPECIFICALLY SUBCHAPTER 41-14, ENTITLED "OUTSIDE EMPLOYMENT OF POLICE OFFICERS"

Motion by Cartier and Scull to introduce Ordinance No. 5-2008.

Mr. Prickett commented that he wished this ordinance was on for New Business, noting that although some of these topics had been discussed in Closed Session, it

should have been on for New Business with some discussion publicly with the attorneys. Mr. Prickett asked if Administration somehow evaluated the difference between the cost to the third party contractor and the school district and how much of a difference there is between the cost of those two bodies. Mr. Prickett stated he would assume the third party contractors would cost a little more because they're talking about the one and one half times contracted regular hourly rate of pay of the highest paid lieutenant with a 10% fee of ordinary payroll withholding as opposed to the one and one half times the contracted regular hourly rate of pay of the highest paid PBA bargaining unit employee along with the actual cost of the statutory payroll withholdings. Mr. Vaz conveyed that he is not really sure that he understands the question. Mr. Vaz asked if Mr. Prickett were asking in terms, which of the two entities, the school vs. third party, generates the most work; and the answer would be hands down the school district. Mr. Prickett clarified his question had to do with cost and asked if the school district was going to have less expense per hour than a third party contractor. Mr. Vaz replied yes and explained that the way it is structured is actually without pulling it in their local services agreement, noting that built in to this is a benefit to the school district in that they will be paying less by virtue of the fee than what officers will be paid and the withholdings will be the actual withholdings as opposed to the 10% because that includes an administrative fee on top of the 7.5% for the withholdings. Mr. Vaz added that the schools are not going to be charged for the police vehicles. Mr. Prickett commented that the schools don't really need a police vehicle then added that sometimes they do. Mayor Patriarca informed the police officer needs a vehicle and suggested to keep in mind that this pay scale or formula was submitted by the officers and was not something that Administration set up as a pay scale. The Mayor relayed this is what the officers said they would work for; they will work for the school district for this price and will work for the third party contractors at the price stipulated. Mayor Patriarca noted that it is based on the highest paid person in the PBA's contracting Sergeants and Patrolmen for the school and they are basing the third party contract on whatever the highest paid Lieutenant makes; so it would be a higher rate for the contractor. The Mayor added that the only thing built into this is the 10% to cover FICA, and the PBA was informed that the Township has to get their expenses out of this. Mayor Patriarca commented that whatever they pay the officers, that is what the Township has to get; if they want to charge \$100.00 per hour, that is on them. The Mayor conveyed that the Township is not in a position to charge any less than what they pay them. Mr. Prickett referenced Section E, Control Of Officers where the Chief of Police is responsible for a number of things one of which is implementing the negotiated practice for assignment of overtime and stated that his question is they don't exactly know who will be able to take on this work because it hasn't been negotiated yet or is in the works of being negotiated. Mr. Vaz advised there is an overtime list. Mr. Vaz explained it is just clarifying that procedure in the contract and it still has to be supervised and overseen by the Chief of Police. Mr. Prickett then asked if that means that Lieutenants will be able to work in this capacity as well. Mr. Vaz responded that right now, no because they are in that state of limbo with the superior officers. Mr. Prickett further asked if it is being negotiated. Mr. Vaz replied yes. Mr. Prickett asked if a contract has been negotiated with the school district in respect to the resource officers there. Mr. Vaz advised it has but it has not been presented yet to the governing body. He noted the Chief of Police has had at least one meeting with the school and there were some issues and Mr. Cunningham was personally involved in drafting the inter-local agreement. Mr. Vaz commented that's probably where it is a different issue than this ordinance. Mr. Prickett asked Mr. Vaz if he worked with the school district in putting this together. Mr. Vaz advised no, but they were alerted to the part of the memorandum of agreement with the PBA dealing with the contract negotiation that Council was presented with tonight by Mrs. Young. Mr. Vaz clarified they have been alerted as to what this means and what the charges are; it is really not a negotiation with the school but rather a negotiation with the PBA; they determine

what they want to charge. He commented that whether or not the school can afford it is yet to be determined. The Mayor noted that what it comes down to is if the school states they can't afford it, then he doesn't know if Council can say that they will give this to the school at a lesser rate than what the Township is paying the officer. Mayor Patriarca reiterated that it's the officers that the Township has to compensate, so they negotiate with the officers and if the school can't afford it and they look to go elsewhere, that's something the school has to decide. Mr. Inge asked what the hourly rate is for a third party vendor. Mayor Patriarca advised \$60.00 under the old ordinance. Mr. Inge asked what it would be now. The Mayor replied it would now fluctuate year to year and is not set with an hourly rate but goes by whatever the contract is for that year so that the Township doesn't have to keep revisiting this. Mayor Patriarca explained that is why the wording was put in that way so that as the contracts increase, the ordinance still applies and they don't have to amend the ordinance each year to whatever the contract is. Mr. Inge questioned if it would be based on the highest lieutenant's pay. The Mayor relayed that is what the PBA Sergeants and Lieutenants proposed and stated that is what they will work for and it certainly implies that they intend to negotiate the Lieutenants into that. Mayor Patriarca pointed out they are still in negotiations with the Lieutenants and they don't have overtime rights at this point. The Mayor reiterated the Sergeants and Patrolmen have said this is the number they are willing to work for and they based this on what other departments throughout the County are charging for the same service. Mayor Patriarca advised this would take them up to the \$70.00+ an hour range for this type of work. Mrs. Scull asked if this ordinance would fix the problem with Finance and should correct any of those issues where the Township is not bringing in enough money to cover what the Township residents are putting out. Mayor Patriarca advised she was correct, that everything that is put out will be based on what is coming in and the only thing that the Township will be basically "eating" will be the vehicle and the administration fees on the school district and are basically counting this as a shared service type of agreement. The Mayor exemplified the Township using the school and having to pay for a janitor because the school has to pay for a janitor and in this case the Township has to pay for an officer and are not charging them in excess of what the officer is asking to be paid but are only charging them for what the officer is actually going to be paid. Mrs. Scull asked if the third party one and one half times contracted rate of the highest paid Lieutenant is for every outside job even somebody that is not a Lieutenant that works it and makes less money. Mr. Vaz informed that is the payment and explained that it has nothing to do with whether one is a Patrolmen, Sergeant or Lieutenant. Mrs. Scull confirmed that this is what the Township will charge any third party from here on out to ensure the coverage is there and the Township will not end up paying out money that has not been taken in which is what got them in trouble with the audit. The Mayor noted that is also the payment that goes to the officer. The officer that works gets that rate regardless if he is a first year officer or a 20 year officer. Mr. Vaz added that they could have also accepted a lower rate such as \$50.00 an hour and that is what they were paid. Mr. Vaz explained that the existing ordinance states \$60.00 and the problem is that they are actually being paid more and now it is a penny for penny relationship between what we are paying the officer and getting from the third party vendor. Mrs. Scull stated she understands what the Mayor is saying and added that this might be pricing them out of the market also if they are going to charge that much regardless. The Mayor commented that that is their choice as they are the ones setting the numbers for this and it's really not their job to go out and solicit outside work for the officers. Mayor Patriarca explained the only reason it is done this way is because the officers can't by law go out and solicit their own work because of the private detectives act that is in effect and this is to their benefit because they are fully covered by the Township. The Mayor noted that there are still certain expenses that the Township is still "eating" and gave an example of an officer directing traffic on a road job and their uniform gets dirty, the Township pays for uniform cleaning in another part of the contract and now

there is an expense as a result of this work, and the Township provides all of the equipment, weapons, radios and so on, training, etc., which is based on the bargaining contract that was negotiated but now this is an added expense and the only thing the Township is recouping is the salary the officer is getting paid and a small administrative fee to manage the account. Mrs. Scull expressed that she wanted to make sure this was clear because there were so many rumors and misinformation when this came about. Mrs. Scull noted that it was the audit that motivated this and this burden cannot be placed on the tax payers. Mayor Patriarca acknowledged that this will correct that issue. The Mayor informed that the straw that broke the camel's back was when he received a call that stated the Township was paying six officers that worked for the school. Mayor Patriarca informed the school is only paying \$40.00 and the officers had already worked the hours so they had to be paid and the Township had to draw from another line item, the overtime line item and he had to stop the action because it was unfair to the Chief who budgets a certain amount of overtime projecting that for his operations for the year and now had to draw from that to pay for unexpected operations. He questioned how the Chief is supposed to operate under his budget that he assumed he had for the year. The Mayor commented that he couldn't allow the practice to go on until the issue was corrected; all of the options were presented including the possibility of pricing themselves out of work and flat fee rates that might be more beneficial to them in this process, however this is what the officers chose as their compensation for the work that is being contracted. Mr. Bayer suffused that if the rate for the third party contractors possibly priced themselves out of the market, Council could put in the ordinance, "up to one and one half times" so it gives them the ability to negotiate down if they can't get the work. Mayor Patriarca disagreed, noting that would be a nightmare on their end. Mr. Vaz suggested it would be better to amend the ordinance at that time if need be. Mayor Patriarca informed Administration is negotiating with every contractor that comes in for work and they must have something locked in that this is the rate. Mr. Cartier commented on some outside fees that will not be covered such as uniform cleaning and asked if there were any other outside fees such as benefits for retirement. The Mayor advised it won't affect the retirement but it could affect disability and workers comp such as if an officer gets injured while directing traffic, the Township is self insured and now has to pay the officer for an injury that occurred on a job that may not have been something he would have been doing if it were not contracted for. Mayor Patriarca then asked what would happen if an officer calls out sick; does he get paid sick time and then another officer works that job. The Mayor noted that the officer gets \$70.00 an hour and questioned if the Township also has to pay the officer sick time. Mr. Cartier stated that he would like to see additional information. The Mayor relayed that the only unforeseen expense he sees at this point is the additional uniform cleaning expense. Mrs. Stinney asked for any other questions or comments. Mr. Prickett questioned the section that talks about "entitled to the benefits provided by the police and firemen's retirement system". If they are injured on the job. Mr. Prickett asked if for any work that is done if money goes into the pension system as a result of that. Mayor Patriarca informed that overtime does not calculate in the pension system; the pension system is based on base pay. The Mayor clarified this would be considered overtime. Mr. Vaz relayed this is really a reference to the accidental disability pension so if an officer is injured in a traumatic event while he is working, he can retire on an accidental disability pension. Mr. Cartier stated he would like to see Administration and the Mayor, since the Mayor has a little more knowledge of the policemen's benefit package, put together something for Council to review prior to adopting this ordinance at the next meeting. Mr. Cartier added that he would like to see what the outside costs are that the Township will end up "eating".

Cartier, yes; Scull, yes; Prickett, no, Inge, yes; Stinney, yes. Motion carried.

Mrs. Young advised there will be a public hearing scheduled and advertised for the March 5th meeting.

11. ORDINANCES FOR SECOND READING, PUBLIC HEARING AND/OR FINAL ADOPTION

a. ORDINANCE NO. 2-2008 (TITLE READ BY MRS. STINNEY)

AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON (MHL)/RCA ADMINISTRATOR FOR THE PURPOSE OF ADMINISTERING THE TOWNSHIP OF PEMBERTON'S AFFORDABLE HOUSING PROGRAM AND REGIONAL CONTRIBUTION AGREEMENTS PURSUANT TO THE FAIR HOUSING ACT

Mrs. Stinney opened the meeting to the public for public comments. There being no members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments on Ordinance No. 2-2008.

Mrs. Stinney asked Council for any comments. Mr. Cartier asked if this position was accounted for in the budget. Mr. Vaz advised no, noting that in terms of being a position, it is not considered a position by Administration. Mr. Vaz explained that the Township is required to have a certified Public Works Manager and Phil Sager just happens to have the certificate but it could also be a laborer that took the courses and has a certificate and they have someone that has a certificate. Mr. Vaz further noted that some towns do pay those a small stipend but this is not something that Administration has asked for a budgeted line item for. Mr. Cartier asked Mr. Vaz if he was going to be requesting a budget line item to pay this individual. Mr. Vaz answered that it is not in the budget for 2008 and it is all dependent upon whether or not there is another program down the road. Mr. Vaz clarified that it would not be for him; he is not looking for any extra compensation for the record. Mr. Bayer conveyed that if the Township was paying anyone, they could be paid out of the Affordable Housing Trust Fund so it would not be a budgeted item; it would not come out of the municipal budget. Mr. Vaz noted that someone could not be hired from the outside and not paid and they could not ask someone else from the Township to take this on for free. He noted that is something that he is comfortable doing because right now Administration is just trying to close out the existing program and it is uncertain whether or not there is another program which is still up in the air with the new COAH regulations. Mr. Vaz informed that Administration is not sure at this point where the Township stands with the contract that they are waiting for. Mr. Vaz advised they are waiting to find out what their obligation is from the state. Mr. Vaz explained that the ordinance is just to comply with the state's requirement; there is still an open program and this only came about after he attended the course. Mr. Vaz informed that when the State was processing his paperwork, they discovered the Township did not have an ordinance and the Township is required to. Mr. Bayer relayed that it is related and goes beyond the RCA Program and the person is theoretically supposed to implement and oversee affordable housing outside of the RCA. Mr. Vaz stated the Township has only had the RCA Program and hasn't had an obligation because the numbers did not require it as some other towns did. Mr. Inge commented that in the 2008 Budget, on page 3, it shows RCA as 0 for fees. Mayor Patriarca acknowledged that is correct, for unfunded positions. Mr. Inge then asked if that means that Administration cannot hire anyone for that position and pay them. The Mayor concurred that not under the current regulations. Mr. Inge asked if there was someone that Administration wanted to place in that position, they would have to come back to Council. Mr. Vaz commented that once the budget is adopted, it is adopted so unless there were another way to do it. Mr. Inge noted that it is a 0 line item. Mr. Vaz stated that he does not anticipate that there will even be another RCA agreement in at least the first half or three quarters

of 2008, noting they might get lucky by the fourth quarter. Mr. Bayer stated he is not a budget expert, but if theoretically Administration wanted to pay someone to do this or hire a third party to do this, the money out of the Affordable Housing Trust Fund could be used and that would not have to be in the budget and asked if this were true. Mr. Vaz explained that it at least needs to be stated there; it might be charged to the Trust but it needs to be in the budget. Mr. Prickett suggested Administration research this a little. Mr. Prickett added that everyone is meeting on Saturday and if there needs to be some money put in there, at that time Council could do that. Mayor Patriarca commented that these are two separate issues noting this ordinance is just a mandated position required by the State to oversee the COAH obligations. Mrs. Stinney commented that Council is not looking for a position, but rather they are just trying to adopt a mandated ordinance. The Mayor clarified that the two individuals that were in the RCA Program as employees; this is not those positions and this is just a mandated certification required by the State that the Township maintains. Mayor Patriarca informed the Township has this in other areas where individuals hold titles that don't get compensated for it but are required to have these titles by the State.

Motion by Scull and Prickett to adopt Ordinance No. 2-2008. Scull, yes; Prickett, yes; Cartier, yes; Inge, yes; Stinney, yes. Motion carried.

- b. ORDINANCE NO. 3-2008 (TITLE READ BY MRS. STINNEY)**
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40a:4-45.14)

Mrs. Stinney opened the meeting to the public for public comments. There being no members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments on Ordinance No. 3-2008

Motion by Cartier and Scull to adopt Ordinance No. 3-2008.

Mr. Prickett explained that one of the reasons he did not vote to introduce this ordinance a few meetings ago was because he did not see all of the information for the budget and hadn't even seen the budget at that time. Mr. Prickett noted that he did receive the budget this past Friday and asked the Mayor to clarify how much is the municipal budget greater in 2008 than it was in 2007 and what is the "cent" increase. Mayor Patriarca replied that it is a little over \$300,000 and the back of the budget book will show the difference between 2008 and 2007. Mr. Prickett asked if it was the information provided by the State. Mayor Patriarca advised it equates to a 2.65 cent increase at the time he was given it but as he explained earlier there will be some changes to that as a result of some contract changes and that may actually go up slightly over last year's. Mr. Prickett asked what the number was that he used to obtain the "cent" number and asked if it was \$85,000. The Mayor answered it should also be in the budget book that has a list that is explaining it and believed it to be 87.6 thousand per penny. Mr. Prickett conveyed that when he did it he came up with a 4 cent increase, but he will check it again.

Cartier, yes; Scull, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

- c. ORDINANCE NO. 4-2008 (TITLE READ BY MRS. STINNEY)**
ORDINANCE TO AMEND THE ORDINANCES OF THE TOWNSHIP OF PEMBERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AND SPECIFICALLY CHAPTER 94 (DOGS AND OTHER ANIMALS)

Mrs. Stinney opened the meeting to the public for public comments. There being no members of the public wishing to comment, Mrs. Stinney closed the meeting to public comments on Ordinance No. 4-2008.

Motion by Cartier and Prickett to adopt Ordinance No. 4-2008. Cartier, yes; Prickett, yes; Inge, yes; Scull, no; Stinney, yes. Motion carried.

12. NEW BUSINESS

- a. Request from Municipal Court, Planning & Zoning & Township Clerk's Office to expend funds in excess of \$2,000.00 for the purchase of replacement recording systems from Gramco in the total amount of \$7,965.00. (Court system costs \$6,040.00. System to be shared by Twp. Clerk and Planning & Zoning costs \$1,925.00).

Mr. Prickett expressed it is a good idea but sounds like a lot of money. Mrs. Stinney agreed in that it is a good idea. Mr. Prickett commented that the Clerk has looked at all of the systems carefully and this is something that Council really needs to make sure that the records are accurate and the job is easier for those in the Clerk's office as well as the Planning Board office to transcribe the minutes. Mrs. Stinney commented it was very well put by Mr. Prickett, thanked him and reiterated that she does agree. Mrs. Stinney asked for any other comments from Council. Mr. Cartier asked if this system was going to be transported back and forth between the Court Room and Room 10. Mrs. Young advised there are two separate systems. Mr. Prickett acknowledged that is why the expense is high and he did not realize this. Mrs. Young explained that the Court System is higher because by law, they are required to have additional components and extra channels in their equipment that the Planning & Zoning Departments and the Township Clerk's Department does not need that so their's is less. Mr. Cartier expressed that it is good to continue to bring the Township building and facilities up to the 21st century.

Motion by Cartier and Prickett to approve the request from Municipal Court, Planning & Zoning and Township Clerk's Office to expend funds in excess of \$2,000.00 for the purchase of replacement recording systems from Gramco in the total amount of \$7,965.00. Cartier, yes; Prickett, yes; Scull, yes; Inge, yes; Stinney, yes. Motion carried.

- b. Memorialization of Council's (Stinney, Scull & Cartier) approval for the purchase of dais and table for Room 10 renovations from Laurel Oaks Wood in the amount of \$8,250.00.

Mr. Prickett expressed that he was surprised this was done over the phone since this relates to Council's chambers, the dias there.....Mayor Patriarca interjected that this doesn't have to do with Council chambers clarifying this is a Room 10 addition. Mr. Prickett asked if this was the Council room and if the Council sits at the dias. Mayor Patriarca responded absolutely not; it's a Township room. Mr. Prickett commented that in any case this could have been discussed publicly and not done by a voicemail over the phone. Mr. Prickett added that there is time for discussion noting that certain Council members have expressed an interest. Mr. Prickett noted that since there doesn't appear to be concern on the Council, he won't comment any further. Mr. Inge asked when work was budgeted for Room 10, he thought there were repairs budgeted for fire safety for what was required and asked about the issue of putting an exterior door in and if this was still going to happen. Mayor Patriarca acknowledged absolutely, that is part of the fire code requirements that Administration is pricing now and will be coming to Council real soon. Mrs. Stinney thanked Council for moving on this and added that it is an on-going task and it looks like they are just about there.

Motion by Scull and Cartier to approve the memorialization of the Council's approval for the purchase of dais and table for Room 10 renovations from Laurel Oaks Wood in the amount of \$8,250.00. Scull, yes; Cartier, yes; Inge, yes; Prickett, No; Stinney, yes. Motion carried.

Mr. Cartier asked if this would be completely replacing what is in there now. Mayor Patriarca responded yes, the dais that is there now will be replaced and there will actually be a rail gateway to another dais that is a lower step down dais and is built down to the side. Mr. Prickett asked if the dais is actually going to be built or if the old one would be redone. Mayor Patriarca explained a new one was being built to replace the existing one.

- c. Request from Buildings & Grounds Department to expend funds in excess of \$2,000.00 for payment of annual fire alarm inspections as required by DCA from Fire Security Technologies, Inc., in the amount of \$6,975.00.

Motion by Scull and Cartier to approve funds in excess of \$2000.00 for annual fire alarm inspections. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

- d. Request from Buildings & Grounds Department to expend funds in excess of \$2,000.00 for purchase of kitchen cabinets for the Dominique Johnson Rec. Building, from Diamond M. Lumber Co., in the amount of \$2,949.10.

Motion by Scull and Cartier to approve funds in excess of \$2,000.00 for purchase of kitchen cabinets. Scull, yes; Cartier, yes; Inge, yes; Prickett, yes; Stinney, yes. Motion carried.

- e. Council's approval of PTMUA's professional contracts (as to fees).

Mr. Cartier questioned Council's responsibility to approve contracts. He stated that he thought it was Administration's responsibility to approve contracts. Mrs. Scull stated that these contracts were approved by the MUA. Mayor Patriarca stated that this is customarily done. Mr. Bayer stated that MUA is a separate entity. Mrs. Young noted there is a statutory requirement and will look into it for them.

Motion by Cartier and Scull to table approval of these contracts for further discussion. Cartier, yes; Scull, yes; Prickett, no; Inge, yes; Stinney, yes. Motion carried.

VOUCHER PULLED FROM CONSENT AGENDA

Mrs. Scull explained that she asked for voucher no. 80692 to be pulled because she wished to abstain from voting on it.

Motion by Cartier and Prickett to approve bill no. 80692 on page 15 for \$100.00. Cartier, yes; Prickett, yes; Scull, abstain; Inge, yes; Stinney, yes. Motion carried.

The meeting was recessed at 7:55 p.m. for a 10 minute break.

GENERAL PUBLIC COMMENTS

Mrs. Stinney opened the meeting to public comments. Those wishing to comment were: **Ed Tournquist: 1.** Noted the Engineer had a meeting with Country Lakes and he thank everyone involved. **2.** Advised that riding around town today he

passed shacks that are barely standing and probably being sold. One had blue tarps instead of a roof and the tarps have blown off. He expressed that their town is filled with these buildings and questioned what could be done to make these buildings as nice as possible. **3.** Expressed he would like extra signs at all intersections in town welcoming visitors, noting they must upgrade everything in town. Mr. Cartier offered his apologies for not attending the meeting in Country Lakes due to a miscommunication. Mrs. Scull noted that she was ill and could not attend and mentioned that it was good that Council did not attend the meeting because it gave the residents a chance to talk freely at the meeting. Mrs. Stinney stated she is happy that Council supports the various town meetings and wants them to attend more but explained the main purpose of the meetings were for the residents' information and feedback. She expressed liking the fact that residents can address the Engineers, Mayor and Business Administrator personally.

There being no other members of the public indicating a desire to be heard, the meeting was closed to public comments.

SOLICITOR'S REPORT

Mr. Bayer reported that Judge Sweeny issued a court opinion approving the Township's Landlord Registration Ordinance and Amendment. He advised that Judge Sweeny upheld the Township's Ordinance and rejected Lake Valley Associates' lawsuit and expects the Township to enforce the Ordinance.

ENGINEER'S REPORT

1. Mr. Rehmann advised they are awaiting budget approval for submitting proposals on various projects. He noted to Mr. Tournquist to ask them how to get projects started so they can go into the budget for Council approval. **2.** Expressed that the meeting in Country Lakes provided beneficial information noting that the Army may be able to assist the Township in reducing some of the costs. Mr. Cartier asked where the Township stand regarding dams. Mr. Rehmann updated the Mayor on what would be needed for the dams noting they should be able to start construction within 9-12 months. He noted that in 2003, there was a misunderstanding that an Engineering firm was authorized to do the entire design, which they were not. They were authorized to do repairs. He explained having the option to work with the other firm or turn the work over to ARH. He pointed out that any prior work done will be used to lower cost but they must ensure that they are satisfied with the prior firm's work. Mrs. Scull stated that one of the issues was discussed with Mr. Ritchie and Mr. Ingram regarding the combining of the projects for dams 1 and 3 in effort to save money. She expressed hope that ARH is looking into that. Mr. Rehmann stated that they would be pursuing that. **3.** Mr. Rehmann mentioned funding available from the state with a 2% interest loan for capital improvements. He mentioned that \$12 million will go quickly with the state so they must move quickly to apply. He advised they must ask if these grant loan programs will fund these capital improvements. Mrs. Scull mentioned for the Engineer to keep in touch with the Lt. Colonel at the Army base for the Army's assistance with the dams. Mr. Cartier asked if the Township met the deadlines from DEP in sub points A and C of the Engineer's report. The Engineer stated they have not yet and that they are still putting together the proposals for the Mayor's approval and will then be authorized to go forward. He advised that the DEP is aware of where they are at and the Township is protected. The Mayor stated that Administration had proposed looking at all three dams as one project and that the state was also interested in this method of dealing with the issue. He informed there are preliminary numbers and they looked into revenue available in Bridge Commission funds. He advised he would like to authorize ARH to look at the project and come back to the Township with an amount to start this project. He explained that if they use the Bridge Commission funds they would not have to

wait for Council to approve the 2008 budget, and could start the dam project right away. Mr. Prickett questioned the balance in the Bridge Commission. The Mayor stated that they have the numbers and can do the designs and permitting right away. The Engineer advised that he is not concerned about construction but starting the hydraulic studies. Mrs. Stinney asked if Council could approve up to a certain amount of money to authorize the H & H studies for the dams. Mr. Bayer acknowledged that this is possible.

Motion by Prickett and Cartier to authorize ARH for hydraulic and borings study up to \$75,000. Prickett, yes; Cartier, yes; Inge, yes; Scull, yes; Stinney, yes. Motion carried.

MAYOR'S REPORT

Mayor David Patriarca: 1. Thanked Council for moving forward with the dams. 2. Reported that the Business Administrator had a meeting last night regarding Imagination Kingdom. He advised it was a positive meeting with approximately 15 residents attending. He relayed that everyone present was enthused about the project and right now everything is preliminary and sub-committees will be set up at the next meeting in approximately two weeks. 3. Reported that he looked into the issue regarding the library questioned by Mr. Inge. The Mayor stated that the County only took over one library, the Bordentown library, and that the Township's building is much nicer than that building. He noted the individuals that he spoke with are very enthused about the idea and they are planning on changing the mission of the college library to more academic. He noted the County was not against the idea and will take it to the Library Commission at the March 11, 2008 meeting. 4. Regarding the entrance signs that Mr. Tournquist mentioned, he advised there are signs in the UEZ budget for this year. 4. Reported they just signed the quick-claim deed for the property next to the Municipal Building. 5. Announced that the Chief will be having a meeting with Code Enforcement and he will have him mention some of the issues addressed by Mr. Tournquist. He expressed he is ready to get projects started and get results. Mrs. Stinney asked about Mr. Tamn's previous comments on recycling education. The Mayor advised that he approved an education program through the schools and will look into it more including the enforcement issues.

Mr. Prickett questioned not receiving Department Reports in quite a while and questioned why Council did not get the Capital Budget to review. The Mayor advised that the Capital Budget was not included in their documents and he will send it out to all Council members for the next budget meeting on Saturday, February 23, 2008. Regarding Department Reports he advised that the information is available to Administration and they can forward the information to Council on a regular basis. Mr. Prickett mentioned Section 3-13 where Administration is supposed to submit a report by November 30th for Township property and questioned why Council did not receive it and when will they get it. The Mayor stated that Administration was currently working on it and will get Council the report as soon as possible. Mr. Prickett also stated statute 40:69A-40 specifically "Duties of Mayor" reporting the "State of the Municipality" to Council and the residents. The Mayor stated that he is preparing the report and is awaiting the completion of the budget to be more aware of the state of the Municipality. In addition, Mr. Prickett mentioned at the last meeting Mr. Inge's documents were available on the website and realized that those documents were just for Mr. Inge's situation. Mr. Prickett expressed that this is totally inappropriate and would like it documented. He expressed that it is an attempt to bias the public's view. The Mayor stated that this is not the intention of Administration, but to make all things placed before the Zoning Board available to the public. He added that this particular issue was posted due to the public interest so that the public was informed on the issue to avoid any miscommunication or confusion. Mr. Cartier questioned Country Lakes Dam #2 and if the Township includes all three dams in

one project does this mean that Remington & Vernick is no longer involved. The Mayor explained that R & V submitted a plan as requested to redo this dam. He advised that R & V projects with the Township are complete. Mr. Inge noted the memorialization of Council's approval for the dias and table for Room 10 and questioned if Council approves it why they cannot have input as to what is done and input as to how the money is spent. Mr. Bayer explained that under the Faulkner Act if Council budgets certain amounts of money and approves expenditures the Executive Branch enforces and implements what is budgeted however anyone can give input or suggestions to Administration of how it should be done.

BUSINESS ADMINISTRATOR'S REPORT

None

COUNCIL MEMBER'S COMMENTS

Mr. Cartier: **1.** Stated he is glad to see the Township is not standing around and doing nothing with Imagination Kingdom and the Country Lakes dam and that they are moving forward with these projects. **2.** Noted the next step in the Master Plan re-write takes place at the Presidential Lakes Fire Company regarding Presidential Lakes and the southeast section of town and all public and Council is invited to attend February 25, 2008 at 7 p.m. **3.** Wished everyone a safe trip home.

Mr. Inge: **1.** Thanked everyone for coming out tonight. **2.** Advised he attended the recent show at the high school and thought it was great and is looking forward to next year's. He thanked those who were responsible for putting it together. **3.** Wished everyone a safe drive home.

Mrs. Scull: **1.** Commented that the Township has talented children in the schools. **2.** Noted regarding Room 10 the bids for re-facing was \$5,000 more than the new dais. She expressed that as a Council member she is more concerned about what money is spent, than what color, etc. **3** Stated she was surprised that Mr. Prickett mentioned the Citizens Advisory Board hasn't been meeting for while. She expressed that board would really make a difference in the town to make the town look better. She expressed hope that Administration and the Chief will make sure that things are looked at more closely regarding Code Enforcement, noting disappointment that there has not been much improvement over the last year. **4.** Reminded everyone that on April 16, 2008 from 3 p.m. – 7 p.m., there will be senior prom for the Senior Citizens. She advised that a grant of \$3,500 was received to offset food and decorations and advised there are various organizations participating and hopes Council can attend. Mr. Cartier pointed out that there is a Council meeting on that night which disappointed Mrs. Scull to hear that.

Mr. Prickett: **1.** Asked everyone to remember Charles Graff who passed away on February 14, 2008. He expressed that Mr. Graff spoke with respect, kindness and without confrontation and was persistent. He stated that Mr. Graff was selfless in his efforts with the BMIA and was President, loved the lakes and they will miss him and he sends his condolences to Mr. Graff's family. **2.** He noted that on April 18, 2007 when Council approved the Municipal Budget, there was a 3% increase in Council's salaries which he asked Finance not to include in his check. Mr. Prickett noting that Finance did not withhold that increase therefore, he will be donating \$1,000 to the Imagination Kingdom fund. **3.** Wished everyone a safe ride home.

Mrs. Stinney: **1.** Thanked Mr. Inge for accompanying her to the Fashion and Talent Show and thought this was one of the best but wished there were more officials there. **2.** Thanked Chief Lewandowski for attending the luncheon for the

Youth Challenge Program at Fort Dix. She explained this program is funded through a grant and Chief Lewandowski made an impact with the young men. 3. Reminded everyone of the Harlem Wizards game on Friday and of Sunday's Deborah's Heart Challenge and encouraged everyone to attend. 4. Thanked the Mayor and Engineer for moving forward on the dams. 5. She asked the Ordinance sub-committee where they were with the review and was advised they will start after the budget sessions are completed. 6. Stated that she is happy to have the Township meetings since they are very informative and wished everyone a safe trip home.

Council President Stinney closed the open session meeting at approximately 9:15 p.m. to go back into closed session and reconvened the open session at approximately 9:41 p.m.

There being no formal action necessary pursuant to closed session, the meeting was adjourned at 9:41 p.m.

Respectfully submitted by:

Mary Ann Young, CMC, Township Clerk